NO3CO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	Group Art Unit: To be assigned
	)	
NUNOMURA	)	Examiner: To be assigned
	)	
Serial No. 09/943,286	)	Atty. Docket No. GP104-03.CN1
	)	
Filed: August 30, 2001	)	
	)	
For: POLYNUCLEOTIDE AMPLIFICATION METHOD	)	

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed October 15, 2001, a copy of which is enclosed, please amend the application as follows:

IN THE SEQUENCE LISTING:

Please replace pages 1-9 of the original Sequence Listing with the attached substitute pages having the same page numbers.

REMARKS

The attached paper copy of the Sequence Listing, together with the enclosed Computer Readable Form of the Sequence Listing, correct the appearance of 6 "T" residues in the RNA sequence of SEQ ID NO:9. The error in the original Sequence Listing was pointed out in Paper No. 8 of the file history of the parent application. Presentation of the "T" residues is believed to have been a typographical error because the specification refers to the IAC-Bser pseudo target of SEQ ID

NO:9 as an RNA molecule on page 37 at line 11. Accordingly, the replacement Sequence Listing provided herewith substitutes "U" residues (which are characteristic of RNA) for the 6 "T" residues (which are characteristic of DNA) that appear in SEQ ID NO:9 of the previous version of the Sequence Listing.

VERIFICATION UNDER 37 C.F.R. §§ 1.821(f) and 1.825(b)

As required by Sections 1.821(f) and 1.825(b), I hereby verify that the information recorded in Computer Readable Form on the enclosed disk is identical to the information appearing on the enclosed paper version of the Sequence Listing. No new matter is being added herewith.

No fee is believed due in connection with this submission. If Applicant is mistaken, please charge the amount due to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Respectfully Submitted,

Date: December 17, 2001

By: _____

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/943,286	08/30/2001	Kiyotada Nunomura	GP104-03.CN1

CONFIRMATION NO. 8507

21365
GEN PROBE INCORPORATED
10210 GENETIC CENTER DRIVE
SAN DIEGO, CA 92121

FORMALITIES LETTER

OC000000006906465

Date Mailed: 10/15/2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.

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PART 2 - COPY TO BE RETURNED WITH RESPONSE